

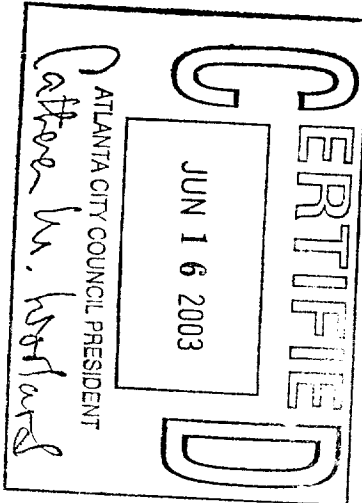
Entered - 03-05-03 - sb  
CL 03L0163 - GWENDOLYN BURNS

CLAIM OF: **FRANK SNELSON**  
1071 John Ward Road  
Marietta, Georgia 30064

03- *R*-0865

**ADOPTED BY**  
**COUNCIL**  
JUN 16 2003

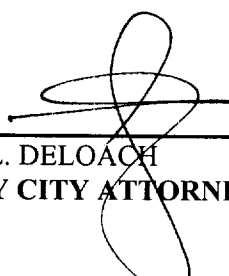
For vehicular damages alleged to have been sustained due to a deteriorated construction site that created a road hazard on February 18, 2003 at Piedmont Avenue, NE & 14<sup>th</sup> Street, NE.

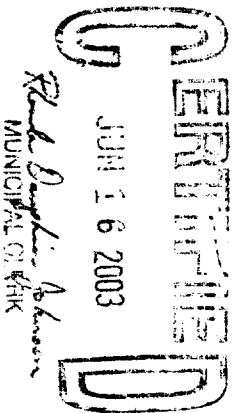


**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **FRANK SNELSON** the sum of **\$1,181.47** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained due to a deteriorated construction site that created a road hazard on February 18, 2003 at Piedmont Avenue, NE & 14<sup>th</sup> Street, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY



## FAVORABLE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/10/03

CHAIR: [Signature]

[Signature]

[Signature]

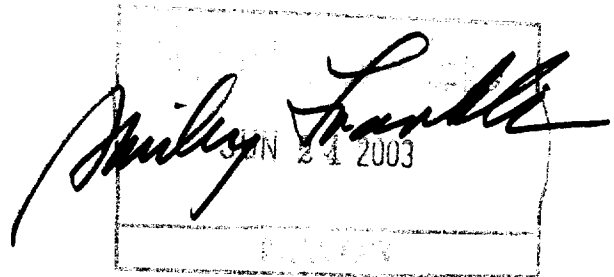
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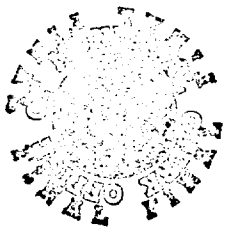
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**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**03-R-0865**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Frank Snelson** in the sum of **\$1,181.47** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained due to a deteriorated construction site that created a road hazard on February 18, 2003 at Piedmont Avenue, NE and 14<sup>th</sup> Street, NE as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

JUN 16, 2003  
JUN 24, 2003

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0163

Date: May 28, 2003

Claimant /Victim FRANK SNELSON  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 1071 John Ward Road, Marietta, Georgia 30064  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,250.85 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 2/26/03 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X  
Date of Occurrence 2/18/03 Place: Piedmont Avenue NE & 14<sup>th</sup> Street  
Department PUBLIC WORKS Division \_\_\_\_\_ Street Operations \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant's vehicle sustained damage when he drove over a construction site that had deteriorated and caused a street defect. An investigation determined that the City was on notice of the problem but failed to properly repair the defect.

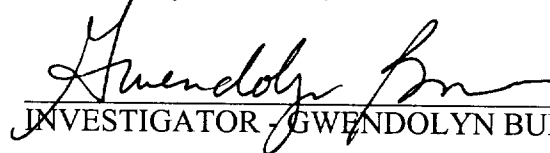
**INVESTIGATION:**

Statements: City employee X Claimant \_\_\_\_\_ Others X Written \_\_\_\_\_ Oral X  
Pictures X Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

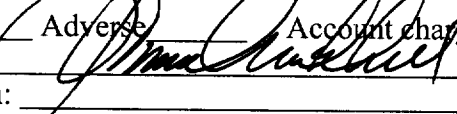
**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial X  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 1,181.47 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 05-29-03  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4836  
6/16/03  
5:03 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668; 03-O-0669  
                         ADOPT

YEAS:    10  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT    2

Y Smith	B Archibong	E McCore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	NV Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4835  
6/16/03  
5:02 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668  
                         RECONSIDER

YEAS:            9  
NAYS:            0  
ABSTENTIONS:   0  
NOT VOTING:     4  
EXCUSED:        1  
ABSENT          2

NV Smith	B Archibong	E Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	NV Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4815  
6/16/03  
2:28 PM

Atlanta City Council

## Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                               03-O-0913; 03-O-0668  
                                        ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	2

Y Smith	B	Archibong	Y Moore	Y Mitchell
Y Starnes	Y	Fauver	Y Martin	Y Norwood
Y Young	Y	Shook	B Maddox	Y Willis
Y Winslow	NV	Muller	NV Boazman	NV Woolard

CONSENT I

		6/16/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-0906 2. 03-O-0911 3. 03-O-0905 4. 03-O-0764 5. 03-O-0914 6. 03-O-0667 7. 03-O-0671 8. 03-O-0839 9. 03-O-0908 10. 03-O-0910 11. 03-O-0912 12. 03-R-0851 13. 03-R-0853 14. 03-R-0854 15. 03-R-0922 16. 03-R-0927 17. 03-R-0928 18. 03-R-0891 19. 03-R-0894 20. 03-R-0921 21. 03-R-0890 22. 03-R-0893 23. 03-R-0895 24. 03-R-0903 25. 03-R-0938 26. 03-R-0848 27. 03-R-0849 28. 03-R-0892 29. 03-R-0918 30. 03-R-0919 31. 03-R-0923 32. 03-R-0924 33. 03-R-0897	34. 03-R-0855 35. 03-R-0856 36. 03-R-0857 37. 03-R-0858 38. 03-R-0859 39. 03-R-0860 40. 03-R-0861 41. 03-R-0862 42. 03-R-0863 43. 03-R-0864 44. 03-R-0865	45. 03-R-0866 46. 03-R-0867 47. 03-R-0868 48. 03-R-0869 49. 03-R-0870 50. 03-R-0871 51. 03-R-0872 52. 03-R-0873 53. 03-R-0874 54. 03-R-0875 55. 03-R-0876 56. 03-R-0877 57. 03-R-0878 58. 03-R-0879 59. 03-R-0880 60. 03-R-0881 61. 03-R-0882 62. 03-R-0883 63. 03-R-0884 64. 03-R-0885 65. 03-R-0886 66. 03-R-0887 67. 03-R-0888

Consent I Vote: 10Yeas; 0Nays: (See RCS #4836)

Items Removed from the Consent Agenda: 03-O-0913; 03-O-0693; 03-O-0668; 03-O-0669; 03-O-0929